

discrimination claim under the Rehabilitation Act, 29 U.S.C. §§ 791 *et seq.* [Id.].

On October 20, 2010, Plaintiff responded to Defendants' Motion to Dismiss [Doc. 10]. In her Response, Plaintiff voluntarily dismissed all of her claims, except for her employment discrimination claim under the Rehabilitation Act, 29 U.S.C. §§ 791 *et seq.* As Plaintiff stated:

Comes the Plaintiff, Stephanie Paluda, and responds to Defendants' motion for partial dismissal by stating, after research on the legal issues raised, it appears Plaintiff's basis for suit lies exclusively within the Rehabilitation Act, 29 U.S.C. §§ 701 *et seq.*, and the rights and remedies incorporated and/or provided for therein. The remaining causes of action upon which Defendants seek dismissal appear to be surplusage. Plaintiff requests the case proceed without further delay on her disability discrimination in employment claims asserted through the Rehabilitation Act.

[Id. at 1].

Because Plaintiff has voluntarily dismissed all of the claims that concerned Defendants' Motion to Dismiss [Doc. 4], that motion is **DENIED AS MOOT**. Accordingly, Plaintiff's only remaining cause of action is her employment discrimination claim under the Rehabilitation Act, 29 U.S.C. §§ 791 *et seq.*

IT IS SO ORDERED.

ENTER:

s/ Thomas W. Phillips
United States District Judge